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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,718	08/13/2003	Micheal Hughes	001-180	1717
44297	7590	02/18/2005		
MICHAEL L. HUGHES 17076-4 BOCA CLUB BOULEVARD BOCA RATON, FL 33487			EXAMINER LIANG, REGINA	
			ART UNIT 2674	PAPER NUMBER

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/604,718	KEENAN ET AL.	
	Examiner	Art Unit	
	Regina Liang	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/13/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. The petition for Correction of Inventorship under 37 CFR 1.48(a) filed 8/10/04 is granted.

Double Patenting

2. Applicant is advised that should claim 34 be found allowable, claim 12 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 22 recites the limitation "said function" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 6, 23, 24, 38-40, 44 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuo (US. PUB. NO. 2003/0137491).

As to claims 1, 38, Fig. 1 of Kuo teaches a computer mouse having a plurality of depressible buttons (15).

As to claims 2, 39, Kuo teaches the computer mouse with pre-setup function hotkeys (15) for the access to internet and multimedia operations such as the user can link internet, receive or send E- mails, which reads on the depressible buttons are used to retrieve and input data as claimed.

As to claims 3, 6, 40, 44, Kuo teaches when the multimedia hotkey is depressed, the data will be encoded by the circuit board and transmitted and inputted to the computer through the periphery interface, thereafter an associated multimedia program is executed (section [0016]), this corresponds to the depressible buttons are used for user selected signals and the user selected signals are software programs which retrieve and input data as claimed.

As to claim 23, Fig. 1 of Kuo shows the mouse having a curve shape, so it is inherent that the mouse of Kuo is ergonomically designed.

As to claim 24, Fig. 1 of Kuo shows the mouse is designed for left and right hand users.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7-11, 13-22, 26, 26, 29-31, 36, 37, 41, 45-49, 51, 53-63, 66-68, 73, 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo in view of Kim (US. PAT.NO. 5,181,029).

As to claims 7-10, 13-22, 31, 45-48, 53-61, 68, Kuo discloses the hotkeys (15) are used to retrieve and input data. Kuo does not disclose the data comprising credit card information, usernames and passwords, personal information, user defined data, first name, last name, address, city, state, zip code, email address, phone number, encrypted, or function is the closing of a pop-up window, insertion of signature. However, Kuo teaches the hotkeys have pre-setup functions. Kim teaches the function keys on the input device are programmable which “allows a user to define a custom set of functions for each of functions keys 50. That is, the user may assign a specified series of keystrokes to a given function key so that each time the functions key is depressed the specified keystrokes are performed” (col. 4, lines 9-21). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo to program hotkeys to be used to retrieve and input user defined data as claimed since Kim teaches “the user is able to define, reconfigure, a function key using the appropriate keystrokes necessary to perform the desired function. This allows a user to same time when the same complex procedures are to be used frequently while a particular software program is being run” (col. 4, lines 9-21 for example).

As to claims 11, 49, 51, Kim teaches software program including a dBase database program.

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As to claims 25, 26, 62, 63, Kim teaches the input device allowing each function keys to input a plurality of sources of data by using templates or changing of templates loaded into a memory means (each set of icons for used in a given one of the application programs corresponds to a template; col. 2, lines 53-56, col. 3, line 64 to col. 4, line 4, col. 4, lines 43-58, col. 9, lines 47-49 for example).

As to claims 29, 66, , Kuo as modified by Kim does not disclose the automated removal of templates after a period of non-activity. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo as modified by Kim to have the automated removal of templates after a period of non-activity to conserve the memory space or to have efficient use of memory.

As to claims 30, 67, Kim teaches the function keys are programmable (customization) for each program application.

As to claims 36, 37, 73, 74, Kim teaches the program selector may be set so that the template is able to be used with different programs including a dBase database program that utilize the function keys; this corresponds to each button to input a plurality of sources of data by accessing a database or by using templates created and designed by a user as claimed.

As to claim 41, Kim teaches the function keys are programmable for the purpose of activating commands through specified software programs.

9. Claims 4, 5, 32, 42, 43, 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo in view of Duchon et al (US. PAT. NO. 5,585,823 hereinafter Duchon).

As to claims 4, 5, 42, 43, Kuo does not disclose the depressible buttons have multiple input stages. However, Duchon teaches it is well known in the art that a mouse button having multiple input stages including single click, double click, and depressing and holding (col. 2, lines 11-21). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo's buttons to have three input stages as taught by Duchon so as provide multiple functions for each depressible button.

As to claims 32, 69, Duchon teaches single click of the button will result in the selection of an object, a double click of the button will cause the activation of the object, which reads on the input stages activate the outputting of data as claimed.

10. Claims 12, 33, 34, 50, 52, 70, 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo in view of Kelley et al (US. PAT. NO. 6,000,033 hereinafter Kelley).

Kuo does not disclose the software programs save data in a database that is accessible through the user of usernames and passwords or that is accessible by a plurality of user through a LAN, WAN or internet connection. However, it is old and well known in the art to use usernames and passwords to access stored data in the database for security purpose. Kelley teaches computer programs for computer users and in particular to software for providing passwords from a client computer to different servers, databases and applications and other services accessed on an Internet (e.g., Figs. 1, 2 and col. 4, lines 29-53). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo to use usernames and passwords to access stored data in the database by a plurality of user through internet connection so as to provide a process and system the universal password can be

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assigned which would activate the real password for the authorized network system being access to ensure data security and access by authorized personnel only.

11. Claims 35, 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo in view of Anderson (US. Pub. NO. 2001/0005199).

Kuo discloses the hotkeys are used to activate command or combination of commands. Kuo does not disclose the hotkeys are used for data insertion. However, Anderson teaches actuating the hotkeys on the keypad and causing sequential text entry of the characters of the textual string (e.g., section [0027]). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo's hotkeys to be used for data insertion to optimize typing output in computer related applications based on the most commonly used character, words, word groups and special commands of a particular language and to minimize hand discomforts caused by repetitive typing, and to speed up data input.

12. Claims 27, 28, 64, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuo and Kim, in view of Lui et al (US. PAT. NO. 6,727,830 hereinafter Lui).

Kuo teaches the hotkeys are used for user selected signals. Kim teaches to use a program selector to select, remove (select one application will remove another application) different applications (templates). Kuo as modified by Kim does not disclose switching or removal of templates (changing the key functions for different applications) through holding down any of a plurality of buttons for a given time period. However, Lui suggest in order to extend the functionality of application button on a limited resource computing device, application functions

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are launched based on the length of time an application button is pressed (e.g., col. 6, lines 26-47). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kuo as modified by Kim to use a button depression hold time period for switching or removal of application functions as taught by Lui so as to increasing the functionality of application buttons on a limited resource computer device (mouse) and to eliminate the need for a separate selector means and to reduce cost of computing device.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tsakiris et al (US. PAT. NO. 5,563,630), MacKenzie (US. PAT. NO. 4,994,795), Retter (US. PAT. NO. 5,825,362), Retter (US. PAT. NO. 4,917,516), Nakamura et al (US. PAT. NO. 5,408,601), Freedman (US. PAT. NO. 5,600,313), Grant (US. PAT. NO. 5,854,624), Chang (US. PAT. NO. 5,063,376), Patel (US. PAT. NO. 6,712,534), Chen (US. PUB. NO. 2003/0210232).

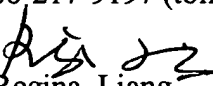
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is 703-305-4719. The examiner can normally be reached on Monday-Friday from 9AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard, can be reached on (703) 308-6725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Regina Liang
Primary Examiner
Art Unit 2674

2/14/05